



GENETIC THERAPY, INC.
A Novartis Company

J. Timothy Meigs
Sector Patent Counsel

Genetic Therapy, Inc.
9 West Watkins Mill Road
Gaithersburg, MD 20878

Tel (301) 258-4716
Fax (301) 258-4620
Internet: tim.meigs@pharma.novartis.com

Fax

Attention U.S. Patent and Trademark Office
Fax no. 703/308-7952
Number of pages -5-
Date February 26, 2003

RECEIVED

FEB 28 2003

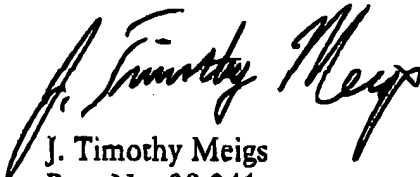
TECH CENTER 1600/2900

**RE: U.S. Patent Application No. 08/704,445, filed August 26, 1996 for
"Methods for Preventing Depletion of Non-Autologous Hematopoietic
Cells and Animal Model Systems for Use Thereof
Inventors: Chen, et al.**

BOARD OF PATENT
APPEALS &
INTERFERENCES
FEB 26 2003

Dear Sir/Madam:

Attached is a Notice of Appeal to the Board of Patent Appeals and Interferences, a Request for Three Month Extension of Time, a Fee Transmittal Sheet and a Transmittal Letter in connection with above-identified patent application. Please file this and return a confirmation of receipt. Thank you for your courtesy.


J. Timothy Meigs
Reg. No. 38,241

JTM/mr
Attachments

PRIVILEGED AND CONFIDENTIAL information intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original to us at the address above via the U.S. Mail. Thank you.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent via facsimile to the U.S. Patent & Trademark Office at 703-308-7952

Marcia Rossell
Type or print name

Marcia Rossell
Signature

February 26, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF****CHEN, ET AL.****APPLICATION NO: 08/704,445****FILED: AUGUST 26, 1996****Confirmation No. 9201****Art Unit: 1632****Examiner: Ram R. Shukla****Atty. Docket: 4-127-1000P1/CONT/SYS****FOR: METHODS FOR PREVENTING DEPLETION OF NON-AUTOLOGOUS HEMATOPOIETIC CELLS AND ANIMAL MODEL SYSTEMS FOR USE THEREOF**

U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, VA 22202
VIA FACSIMILE 703-308-7952

TRANSMITTAL LETTER**Sir:****Enclosed please find the following:**

- a. Notice of Appeal to the Board of Patent Appeals and Interferences;
- b. Request for Three Month Extension of Time; and
- c. Fee Transmittal Letter.

Respectfully submitted,

J. Timothy Meigs

J. Timothy Meigs
Attorney for Applicants
Reg. No. 38,241

Novartis
Corporate Intellectual Property
One Health Plaza, Bldg. 430
East Hanover, NJ 07936-1080
Phone No. (301) 258-4715

Date: February 26, 2003**RECEIVED****FEB 28 2003****TECH CENTER 1600/2900**

BOARD OF PATENT
APPEALS &
INTERFERENCES
FEB 26 2003

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0661-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **1250.00****Complete If Known**

Application Number	08/704,445
Filing Date	08/26/1996
First Named Inventor	Chen
Examiner Name	Ram R. Shukla
Group Art Unit	1632
Attorney Docket No.	4-127-1000P1/CONT/SYS

RECEIVED

FEB 28 2003

TECH CENTER 1600/29

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

19-0134

Deposit
Account
Name

Novartis Corporation

☐ Charge Any Additional Fee Required
Under 37 CFR 1.19 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) **1250.00****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) **1250.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
116	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	930.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,900	228	950	Extension for reply within fifth month	320.00
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
881	40	881	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **1250.00**

RECEIVED

SUBMITTED BY

Name (Print/Type)

J. Timothy Meigs

Registration No.

38,241

Complete (if applicable)

Telephone

301-258-4715

Signature

Date

02/26/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.